

Application Serial No. 10/787,152
Amendment filed November 21, 2007.
Reply to Office Action mailed July 27, 2007

REMARKS

Claims 1-14 are pending in this application. Claims 9 and 10 are amended herein. Support for the amendments to the claims may be found in the claims as originally filed, and at page 24, lines 3-8 of the specification. Reconsideration is requested based on the foregoing amendment and the following remarks.

Objections to the Specification:

The Title was objected to as too general. A new Title has been applied to the invention in substantial conformance with the suggestion in the Office Action. The new Title differs slightly from the suggestion in the Office Action in that it applies to more than just a system. The Examiner's suggestion is appreciated. Withdrawal of the objection is earnestly solicited.

Objections to the Abstract of the Disclosure:

The Abstract of the Disclosure has been objected to for exceeding 150 words in length. The Abstract has consequently been re-written on a separate sheet to include only 128 words. No new matter has been added. Withdrawal of the objection is earnestly solicited.

Claim Rejections - 35 U.S.C. § 101:

Claims 9 and 10 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. The rejection is traversed to the extent it would apply to the claims as amended. Reconsideration is earnestly solicited.

The preambles of claims 9 and 10 have been amended to recite a "program retrieved from a computer-readable recording medium for allowing a computer to execute," and are thus submitted to be directed to statutory subject matter within the meaning of 35 U.S.C. § 101. Withdrawal of the rejection of claims 9 and 10 is earnestly solicited.

Claim Rejections - Obviousness Type Double Patenting:

Claims 1-14 were rejected provisionally under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of U.S. Patent Application No. 10/326,980, now U.S. Patent No. 7,259,891, (hereinafter "the '980 application"), and claims 1-25 of U.S. Patent Application No. 10/971,119 (hereinafter "the '119 application").

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Two Terminal Disclaimers accompany this response, one of which disclaims the terminal part of any patent granted on the subject application which would extend beyond the expiration date of U.S. Patent No. 7,259,891, which issued from the above-mentioned '980 application, while the other disclaims the terminal part of any patent granted on the subject application which would extend beyond the expiration date of a patent granted on the '119 application. Withdrawal of the rejection is earnestly solicited:

Allowable Subject Matter:

The Applicant acknowledges with appreciation the allowance of claims 1-8 and 11-14, and the indication that claims 9 and 10 contain allowable subject matter

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 1-14 are allowable over the cited references. Allowance of all claims 1-14 and of this entire application is therefore respectfully requested.

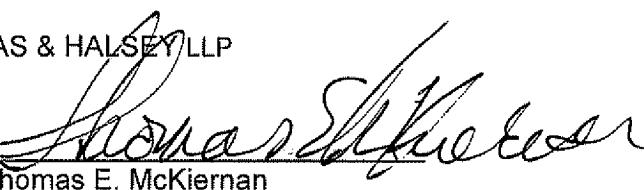
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 21 NO 07

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Attachments: Abstract of the Disclosure
Statutory Disclaimers (2)